

Bruce P. Keller (BK-9300)
Jeremy Feigelson (JF-4963)
DEBEVOISE & PLIMPTON LLP
919 Third Avenue
New York, New York 10022
(212) 909-6000

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*Attorneys for Defendant and Third-Party/Counterclaim-Plaintiff
Infinity Broadcasting Corporation of Washington, D.C. n/k/a
CBS Radio Inc. of Washington, D.C.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SAMUEL L. JONES JR.,	:
	:
Plaintiff,	: No. 07 Civ. 5693 (BSJ) (AJP)
	:
-against-	:
	:
INFINITY BROADCASTING CORPORATION OF	: DECLARATION OF
WASHINGTON, D.C. n/k/a CBS RADIO INC. OF	: <u>REGGIE ROUSE</u>
WASHINGTON, D.C.,	:
	:
Defendant.	:
	:
-----X	
INFINITY BROADCASTING CORPORATION OF	:
WASHINGTON, D.C. n/k/a CBS RADIO INC. OF	:
WASHINGTON, D.C.,	:
	:
Counterclaimant and Third-Party Plaintiff,	:
	:
-against-	:
	:
SAMUEL L. JONES JR.,	:
	:
Counterclaim Defendant, and	:
	:
RADIO ONE, INC.,	:
	:
Third-Party Defendant.	X

Reggie Rouse declares:

1. I am employed by CBS Radio Inc. ("CBS Radio"). I make this declaration on personal knowledge, except where matters are stated on information and belief, as to which I believe those matters to be true.
2. Among my duties at CBS Radio over the years, I was producer of the Donnie Simpson Morning Show on WPGC-FM ("WPGC") in the Washington, D.C. area from approximately 1997 to 2005. I also was interim program director for WPGC from approximately January 2007 through March 2007. Currently, I am Vice President of Urban Programming for CBS Radio, and Program Director for two CBS Radio stations in Atlanta.
3. I was the producer of the Donnie Simpson Morning Show on WPGC when the character of "HUGGY LOWDOWN" was developed and first appeared on the show. We had been looking for some time to develop a gossip/entertainment news feature for the show. Early efforts to fill this role with a reporter did not work out. Chris Paul, a station employee, suggested we use a fictional character in the role. Mr. Paul described to me a character he had invented named HUGGY LOWDOWN. He proposed a local comedian named Samuel Jones (the plaintiff in this case) to play the HUGGY LOWDOWN character. My understanding is that, at the time, Mr. Jones performed under the stage name "Sam I Am," not the name HUGGY LOWDOWN.
4. To the best of my knowledge, information and belief, the HUGGY LOWDOWN name and character did not exist before Mr. Paul invented them specifically to fill the gossip/entertainment news role on the Donnie Simpson Morning Show.

5. Donnie Simpson and I approved Mr. Paul's proposal to try the HUGGY LOWDOWN character on the Donnie Simpson Morning Show. The character became popular with listeners and in time became a regular daily part of the show.

6. As producer, I personally observed how the HUGGY LOWDOWN routine was developed and performed. Generally, Mr. Paul would leave the studio every day, often for up to an hour or two, to write HUGGY LOWDOWN material and pass along the material to Mr. Jones by telephone with advice about how the material should be performed. I also regularly heard the HUGGY LOWDOWN routines as they were performed on the air. The routines as performed were done according to Mr. Paul's scripting and advice.

7. A dispute over business terms arose between CBS Radio and Mr. Jones in approximately 2004. Mr. Jones wanted to trademark the character of HUGGY LOWDOWN. CBS Radio objected. In the context of this dispute, we reached a new overall agreement with Mr. Jones. The gist of the agreement, as I understood it, was that Mr. Jones would continue to perform the HUGGY LOWDOWN routine for a year, with CBS Radio having a right to renew for the second year; Mr. Jones got a substantial raise over the modest stipend we had been paying him; CBS Radio got exclusive rights to the HUGGY LOWDOWN character in the Washington, D.C. radio market for so long as the Donnie Simpson Morning Show was on the air; and Mr. Jones was free to use the HUGGY LOWDOWN character in any other context.

8. In approximately May 2005, I left WPGC for other duties within the CBS Radio organization. In January 2007, I returned part-time to WGPC as interim Program

Director. It was my understanding that we were coming to the end of the second, or renewal, year of our agreement with Samuel Jones. I began discussions with Mr. Jones about a new agreement.

9. These discussions continued from approximately February 2007 through early June 2007. During that time I talked with Mr. Jones many times, both in person and over the telephone. At no time did Mr. Jones ever say to me that his agreement with CBS Radio had already lapsed. He never claimed that the renewal notice sent to him by the station was late or ineffective. To the best of my knowledge, information and belief, during this negotiation period, Mr. Jones shared my view that his agreement was still in place and we were coming up on the end of year two.

10. Mr. Jones advised me that he had a competing offer from a company called Radio One, which owned a rival radio station in the Washington, D.C. market. I pointed out to Mr. Jones that under our agreement with him, he could not perform the HUGGY LOWDOWN character on a rival station in the Washington, D.C. market. Mr. Jones did not dispute this.

11. Mr. Jones eventually turned down our offer to continue on WPGC, and he joined Radio One instead.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Atlanta, Georgia this 20th day of July 2007.


Reggie Rouse